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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, CAM LINH T

ART UNIT PAPER NUMBER

2161

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,415

Applicant(s)

DIRISALA ET AL.

Examiner

CamLinh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/18/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is responded to the Request for Continue Examination filed on 3/3/05. Applicant's amendments to claims 1 – 25 are acknowledged. Consequently, claims 1, 14, 15, 22, and 23 have been amended. Claims 1 – 25 are currently pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 5, 13 - 14, 23, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naohito Nakamura (U.S. 6,633,873 B1) in view of Bly et al (U.S. 2002/0077944 A1).

◆ As per claims 1, 14,

Nakamura discloses a method of facilitating a distributed search for a procurement request comprising:

- “Receiving the procurement request from a user” See Fig. 2, S1, col. 5, lines 7 – 34. The Examiner notes that “procurement” means “quantity” of sources (as specified in the disclosure on page 6, lines 15 – 19). Therefore, the “procurement request” corresponds to a request that contain a number or “quantity” of sources that need to retrieve from the database. Nakamura teaches that the request may contain a number of conditions such as request 20 responses from the database. Therefore, this request corresponds to the “procurement request” in the instant application.

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- “Requesting a remote supplier to conduct a remote search to satisfy the procurement request” Fig. 2, S5, col. 5, lines 41 – 45. The remote supplier corresponds to the remote database.
- “Initiating a local search of a local information source” See Fig. 2, S2, col. 5, lines 9 – 12.
- “Receiving results of the remote search” See Fig. 2, S4, Fig. 7, STP 7.
- “Filtering results of the remote search by applying organizational procurement controls to the results of the remote search, whereby the organizational procurement controls can be applied to the results of the remote search which is performed by the remote supplier” See col. 9, lines 31 – 51. Nakamura teaches that a limited number of sources are assigned to a certain remote database. Therefore, the remote database must use this “organizational procurement controls” to the results in order to filter out exactly this number.
- “Merging said remote search results with results of the local search; and presenting said merged search results to the user” See Fig. 2, S4, col. 5, lines 28 – 30, 46 – 57, Fig. 1, element 9.

Nakamura does not clearly teach that the “organizational procurement controls include at least one of, an upper limit on a price, an upper limit on a quantity, a prohibition against a given supplier, a limit to a given brand, a limit to a given model, a limit on a delivery option, and a limit on payment terms”.

However, Bly, on the other hand, discloses a system for remotely search information on a market database or global databases comprising the teaching of setting parameters for the search query (see Fig. 10). Bly teaches that the search results can be limited based on “upper list price” or

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class of users (see page 10, paragraph 0109, and paragraph 0096). Therefore, Bly clearly teaches the limitation of “organizational procurement controls include at least one of, an upper limit on a price, an upper limit on a quantity, a prohibition against a given supplier, a limit to a given brand, a limit to a given model, a limit on a delivery option, and a limit on payment terms”.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Bly into the invention of Nakamura because the combination would provide the user more accurate results, and reduce the time in searching the databases.

◆ As per claim 2, Nakamura and Bly discloses:

- “Filtering said remote search results with a set of local rules” See page 10 paragraph 0108 – 0109 of Bly. The “local rule” corresponds to the “predetermined condition” of the search query.

◆ As per claim 3, Nakamura and Bly discloses:

- “Filtering comprises editing said remote search results according to a set of rules regarding information ... user” See page 10 paragraph 0108 – 0109 of Bly.

◆ As per claim 4, Nakamura and Bly discloses:

- “Selecting said remote information source from multiple information sources” See page 6, paragraph 0063 of Bly.

◆ As per claim 5, Nakamura and Bly discloses:

- “Said remote search is conducted without the user being connected to the remote information source” See Fig. 1 – 4 of Nakamura. The remote database is searched by the system and the results are returned to the user automatically. Therefore, the user is not connected to the remote source.

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◆ As per claims 13, 25, Nakamura and Bly discloses:

- “ Remote search and local search are performed at least partially in parallel” See col. 8, lines 8 – 16 of Nakamura.

◆ As per claim 23, Nakamura and Bly discloses:

Claim 23 is rejected based on the rejection of claims 1 – 2.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 – 12, 15, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naohito Nakamura (U.S. 6,633,873 B1) in view of Bly et al (U.S. 2002/0077944 A1) as applied to claims 1 – 5, 13 - 14, 23, 25 above further in view of Larry Harris (U.S. 2002/0059204).

◆ As per claim 6, the combination of Nakamura and Harris discloses:

Nakamura/Bly fail to disclose, “ The remote information source employs a user interface different from a user interface employed by the local information source”. According to Fig. 1 of the disclosure, the remote source interface is different with the local interface by its format in the database.

However, Harris, on the other hand, discloses a distributed search system that comprises a plurality of data sources (See Fig. 2, Harris). The data source can be in different formats

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(page 2, paragraph 0029). Therefore, Harris discloses a remote source that has a different interface with the local interface.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Harris into the combination system of Nakamura/Bly because the combination would allow the user obtains more result from different data sources.

◆ As per claim 7, the combination of Nakamura/Bly/Harris disclose:

- “ Said presenting comprises displaying said merged search results with the user interface employed by the local information source” See page 5, paragraph 0050, Harris.

◆ As per claims 8 - 11, 16, 18 – 20, 24, the combination of Nakamura/Bly/Harris disclose:

- “ Said requesting comprises identifying to the remote information source a context in which to execute the remote search” See page 5, paragraph 0052 – 0053, Harris.
- “ Said context comprises an identity of the user” and “ comprises an identity of an organization operating the local resource” See paragraph 0052 – 0053, 0062, Harris.
- “ Said context comprises a language” See paragraph 0047, Harris.

◆ As per claim 12, the combination of Nakamura/Bly/Harris disclose:

- “ The remote information source comprises an electronic marketplace” See paragraph 0057, Harris.

◆ As per claims 15, 22, the combination of Nakamura/Bly/Harris disclose:

“Receiving a search request from a user” See Fig. 2, S1, col. 5, lines 7 – 9.

- “ Requesting a remote information source to conduct a remote search” Fig. 2, S5, col. 5, lines 41 – 45.

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- “Initiating a local search of a local information source” See Fig. 2, S2, col. 5, lines 9 – 12.
 - “Receiving results of the remote search” See Fig. 2, S4, Fig. 7, STP 7.
 - “Merging said remote search results with results of the local search; and presenting said merged search results to the user” See Fig. 2, S4, col. 5, lines 28 – 30, 46 – 57, Fig. 1, element 9.
 - “Filtering said remote search results with a set of local rules” See col. 2, lines 4 – 7, col. 4, lines 44 – 45. The “local rule” corresponds to the “predetermined condition” of the search query. See Fig. 3, col. 5, lines 30 – 57. In this case, the “local rule” corresponds to the number of search results that must be returned to the user.
 - “organizational procurement controls include at least one of, an upper limit on a price, an upper limit on a quantity, a prohibition against a given supplier, a limit to a given brand, a limit to a given model, a limit on a delivery option, and a limit on payment terms” see page 10, paragraph 0109, and paragraph 0096 of Bly.
 - “Said requesting comprises identifying to the remote information source a context in which to execute the remote search” See page 5, paragraph 0052 – 0053, Harris.
 - “Said context comprises an identity of the user” and “comprises an identity of an organization operating the local resource” See paragraph 0052 – 0053, 0062, Harris.
 - “Said context comprises a language” See paragraph 0047, Harris.
- ◆ As per claim 17, the combination of Nakamura/Bly/Harris disclose:
- “Selecting said remote information source from multiple information sources” See Fig. 6, col. 9, lines 5 – 11, Nakamura.

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◆ As per claim 21, the combination of Nakamura/Bly/Harris disclose:

- “ Remote search and local search are performed at least partially in parallel” See col. 8, lines 8 – 16, Nakamura.

Response to Arguments

6. Applicant's arguments with respect to claims 1 - 25 have been considered but are moot in view of the new ground(s) of rejection.

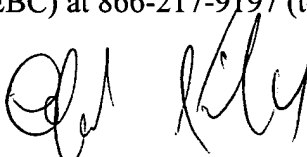
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN


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PRIMARY EXAMINER